

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3085
)	
v.)	
)	
FELIPE DEJESUS GALLARDO,)	TENTATIVE FINDINGS ON
)	PRESENTENCE INVESTIGATION
Defendant.)	REPORT
)	

The defendant has objected to the Presentence Investigation Report, claiming that the defendant qualifies for sentencing under U.S.S.G. § 5C1.2 so that the statutory minimum sentence of 10 years is not applicable. An objection also by the defendant is made to paragraphs 27 and 28, urging that the defendant should be given reduction for being a minimal participant of four levels or at least a minor participant of two levels.

No request for an evidentiary hearing has been made and no evidence in support of either of the objections has been pointed out as anticipated in paragraph 6 of the Order on Sentencing Schedule, filing 46. I tentatively find, therefore, that the objections are not well taken.

Objections may be renewed at the time of the sentencing, but no evidence shall be received.

Dated July 10, 2006.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge